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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

FEB 01 2002

WILLIAM BRANCH : CIVIL ACTION
V. : NO. CV-00-1728
NEIL HEFFERMAN, P.A., et al. : (Judge Rambo)

PER 
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ANSWER OF NEIL HEFFERMAN, P.A. TO THE SECOND MOTION OF
WILLIAM BRANCH FOR RECONSIDERATION

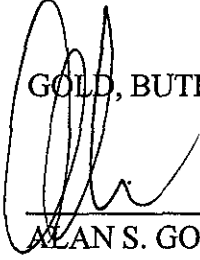
Neil Hefferman, P.A. ("Hefferman") respectfully requests that the second motion to reconsider of William Branch ("Branch") be denied and states in support thereof the following:

1. Branch has filed a compliant pursuant to 42 U.S.C. §1983 against Hefferman. Hefferman filed a motion to dismiss the complaint. This Court granted the motion to dismiss and issued a detailed opinion.
2. Branch filed a motion to reconsider. This Court denied his motion to reconsider.
3. Branch has now filed a second motion to reconsider. It suffers from the same defects as the first. It fails to show any new case authority which did not exist at the time that the Court ruled. It does not produce any new evidence not available to Branch at the time he submitted his response to the motion to dismiss. Instead, Branch ignores the issues raised by the Court in its opinion. He now contends that he is the victim of racial discrimination based solely upon him being black and the defendants being white. He asserts nothing else. He does not allege that Hefferman engaged in discrimination based on his race. He does not indicate that Hefferman did anything wrong. He makes general allegations against unknown individuals.
4. No basis exists to grant the second motion to reconsider of Branch.

WHEREFORE, Neil Hefferman, P.A. respectfully requests that the second motion be denied.

GOLD, BUTKOVITZ & ROBINS, P.C.

BY:


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